

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE CONTROL BOARD
RICHMOND, VIRGINIA

Individual or
Partnership Form

License No. _____

WHOLESALE WINE DISTRIBUTORS' BOND

KNOW ALL MEN BY THESE PRESENTS:

I or

That we _____,

of _____, Principal,

and _____, Surety,

are held and firmly bound unto the Commonwealth of Virginia in the just and full sum of _____

(\$ _____),

to the payment whereof well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents:

WHEREAS, It is provided by law that no license shall be granted under the Alcoholic Beverage Control Act to any wholesale wine distributor, until such applicant has filed with the Board a bond running to the Commonwealth, in a penal sum not exceeding TEN THOUSAND DOLLARS (\$10,000.00), upon a form approved by the Board, signed by the applicant or licensee, and a surety company authorized to do business in this Commonwealth as surety; or, in lieu of furnishing a surety upon such, the applicant or licensee may deposit with the Board as security for the performance of the conditions of the bond, United States Government bonds, Commonwealth of Virginia bonds, or the bonds of any municipality or county in the State of Virginia, conditioned upon such person securing wine only in a manner provided by law; and that such person shall not fail to remit to the Board the proper mark-up thereon; shall keep such records as may be required by law, or the regulations of this Board; and shall abide by such other laws or regulations of the Board as may be from time to time adopted relative to the handling of wine by wholesale wine distributors.

NOW, THEREFORE, The conditions of this obligation is such, that in the event the wholesale wine distributor, the above named principal, shall secure wine only in a manner provided by law; and that such wholesale wine distributor shall remit to the Board the proper mark-up thereon, shall keep such records as may be required by law or regulations of the Board; and shall abide by such other laws or regulations of the Board as may be from time to time adopted relative to the handling of wine by wholesale wine distributors, then this obligation shall be null and void; otherwise to remain in full force and effect, subject, however, to the following conditions:

1. That this bond shall be continuous in form and shall remain in full force and effect until canceled as hereafter provided.

2. This bond may be canceled at any time by the Principal or the Surety upon giving thirty (30) days written notice to the Virginia Alcoholic Beverage Control Board, at Richmond, Virginia, of its intention so to do, it being understood that the Surety shall be liable for any violation of the terms of this bond of the principal accruing during the life of this bond

3. Before the provisions of any regulation of the Virginia Alcoholic Beverage Control Board adopted after the execution of this bond, shall become a condition of this bond, forty-five (45) days notice in writing to the Surety that such regulation has been adopted and is to be covered by the terms of this bond, shall be given to the Surety herein.

4. It is further understood and agreed that this bond may be declared forfeited by the Virginia Alcoholic Beverage Control Board for any violation of the conditions of this bond. Such forfeiture shall be declared only after a hearing before the Board, after ten (10) days notice in writing to the Principal in the bond, giving the time and place of such hearing; and the decision of the Board after such hearing shall be final and binding upon the parties to this obligation; and if the bond shall be declared forfeited, the full amount of this bond shall become immediately due and payable to the Commonwealth of Virginia. Notice of such hearing shall be served in the same manner as notices for the revocation of a license under the Alcoholic Beverage Control Act.

IN WITNESS WHEREOF, The said _____

Principal(s), has hereunto affixed his or their signature and seals; and the Surety has caused these presents to be executed by _____,

its duly authorized Attorney-in-Fact, this _____ day of _____, 20_____

(SEAL)

(SEAL)

SURETY

BY:

(SEAL)

Attorney-in-Fact.

Acknowledgment of Principal

STATE OF VIRGINIA,

_____ of _____, to-wit:

I _____, a Notary Public in and for the _____ aforesaid, in the State of Virginia, do certify that _____, President of _____

Whose name is signed to the above bond, bearing date on the _____ day of _____, 20____, personally appeared before me in my _____ aforesaid, and acknowledged the same.

I further certify that my term of office expires on the _____ day of _____, 20_____.

Given under my hand this _____ day of _____, 20_____.

Notary Public.

Affidavit and Acknowledgment of Surety

STATE OF _____,

_____ of _____, to-wit:

I, _____, Notary Public in and for the _____ aforesaid, in the State aforesaid, do certify that _____ personally appeared before me in my _____ aforesaid and made oath that he is _____ of the _____

that he is duly authorized to execute the foregoing bond by virtue of a certain power of attorney of said company, dated _____ and recorded in the Clerk's Office of the _____ of _____, in Deed Book No. _____, Page _____,

that said power of attorney has not been revoked; that the said company has complied with all the requirements of law regulating the admission of such companies to transact business in the State of Virginia; that the said company holds the certificate of the Commissioner of Insurance authorizing it to do business in the State of Virginia; that it has a paid-up cash capital of not less than \$250,000; that the paid-up capital plus the surplus and undivided profits of said company, is \$_____; that the penalty of the foregoing bond is not in excess of ten per centum of said sum; that the said company is not by said bond incurring in the aggregate, on behalf of or on account of the principal named in said bond, a liability for an amount larger than one-tenth of its paid-up capital, plus its surplus and undivided profits; that the said company is solvent and fully able to meet promptly all its obligations, and the said _____ thereupon, in the name and on behalf of the said company, acknowledged the foregoing writing as its act and deed.

My term of office expires _____, 20_____

Given under my hand this _____ day of _____, 20_____

Notary Public.